

REMARKS

Applicants submit these remarks in response to the Office Action dated February 20, 2004. Claims 1-6 are pending, and claims 7-25 have been withdrawn from consideration following a restriction requirement. Claim 1 is amended as discussed below and no new matter is added. Applicants thank the Examiner for acknowledging receipt and consideration of the Information Disclosure Statement filed on August 6, 2003.

Claims 1-6 are rejected under 35 U.S.C. § 112, first paragraph, in view of language regarding conversion of a conserved lysine to an alanine at an ATP binding site. The Examiner asserts that the "ATP binding site" language is unclear. Claim 1 allegedly is unclear in the recitations in part (h) and (i) in reference to sequences of (a) – (b), and parts (j) and (k) of claim 1 also allegedly are unclear. Applicants submit that claim 1 as amended (and claims 2-6 depending from claim 1) are no longer subject to this ground of rejection, withdrawal of which is respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. § 112, first paragraph. The Examiner has maintained this ground of rejection, and states that further structural detail would be required to satisfy the written description requirements of 35 U.S.C. § 112, first paragraph. Without acquiescing to this ground of rejection, applicants submit that claim 1 as amended is not subject to this ground of rejection, nor are dependent claims 2-6. Withdrawal of this rejection is respectfully requested.

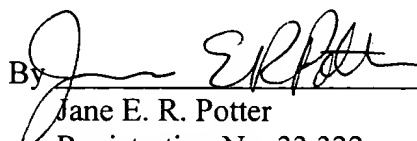
Claims 1-6 are rejected under 35 U.S.C. § 112, first paragraph, for alleged lack of enablement in the specification. The Examiner states that the specification is enabling for a nucleic acid molecule comprising a sequence encoding SEQ ID NO:6. Applicants submit that claim 1 as amended (and claims 2-6 depending from claim 1) are no longer subject to this ground of rejection, withdrawal of which is respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. § 102(b), as being allegedly anticipated by Espinosa et al., Cytogenet. Cell Genet. 81:278-282, 1998) as evidence by Espinosa et al., Genbank Accession No. X97630, October 1998. Applicants submit that the claims as amended herein are not subject to this ground of rejection, withdrawal of which is respectfully requested.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

If questions remain regarding this application, the Examiner is invited to contact the undersigned at (206) 628-7650.

Respectfully submitted,
Tian-Qiang Sun et al.
DAVIS WRIGHT TREMAINE LLP

By 
Jane E. R. Potter
Registration No. 33,332

2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688
Phone: (206) 628-7650
Facsimile: (206) 628-7699